HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.14520 of 2005

Date: September 14, 2007

Between:
K.L. Rao … Petitioner

And

1. Andhra Pradesh State Road
   Transport Corporation, Musheerabad,
   Hyderabad and 2 others. … Respondents

* * *

ORDER:

The only grievance of the petitioner is that when he was sent for medical examination he was declared as medically unfit to hold the post of driver. The respondents have not considered his case for providing alternative employment as required under Section 47 of the Persons with disabilities (equal opportunities, protection of rights and full participation) Act, 1995. Therefore, this writ petition.

2. Learned counsel for the petitioner further states that inspite of there being an interim direction dated 06.7.2005, the petitioner was not taken back to employment.

3. The respondents filed a vacate stay petition. In the counter filed by the respondent it is asserted that there are no vacancies, therefore, the case of the petitioner was not considered for alternative employment.

4. I am of the opinion, that once the petitioner is declared medically unfit to hold the post of driver, it is obligatory on the part of respondents to provide alternative employment (by protecting his last drawn pay as

well as seniority in the cadre of driver). Therefore, the respondents are directed to appoint the petitioner to any alternative post within a period of four weeks from the date of receipt of this order by protecting his last drawn pay and seniority in the cadre of driver.

5. The writ petition is accordingly disposed of. No order as to costs.

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(C.V.RAMULU, J)

Date: September 14, 2007.

BSB